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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/605,108	09/09/2003	Dureseti Chidambarrao	FIS920030183US1	2107		
29625	7590 03/05/2004		EXAMINER			
MCGUIRE WOODS LLP 1750 TYSONS BLVD.			PHAM, LONG			
SUITE 1800	S DL V D.	ART UNIT	PAPER NUMBER			
MCLEAN, V	A 22102-4215	2814	<del>-</del>			

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.		Applicant(s)				
Office Action Summary		10/605,108		CHIDAMBARRAO ET AL.				
		Examiner		Art Unit				
		Long Pham		2814				
The MAILING DATE of Period for Reply	f this communication app	ears on the cover s	theet with the co	rrespondence ac	ddress			
A SHORTENED STATUTOR THE MAILING DATE OF TH  - Extensions of time may be available usefter SIX (6) MONTHS from the mailin  - If the period for reply specified above  - If NO period for reply is specified above  - Failure to reply within the set or exten Any reply received by the Office later earned patent term adjustment. See	IS COMMUNICATION. Inder the provisions of 37 CFR 1.13 Index the provisions of 37 CFR 1.13 Index the description of 37 CFR 1.13 Index the provisions of 37 CFR 1.13	86(a). In no event, however within the statutory miniming apply and will expire SIX cause the application to be	er, may a reply be timel um of thirty (30) days v X (6) MONTHS from the ecome ABANDONED	ly filed will be considered time e mailing date of this c (35 U.S.C. § 133).	ly. communication.			
Status								
1) Responsive to commu	nication(s) filed on							
2a) This action is <b>FINAL</b> .	<u> </u>							
3) Since this application i	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is							
closed in accordance	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims								
4)⊠ Claim(s) <u>1-20</u> is/are pe	ending in the application.							
4a) Of the above claim	4a) Of the above claim(s) is/are withdrawn from consideration.							
5) Claim(s) is/are	5) Claim(s) is/are allowed.							
6) Claim(s) is/are	Claim(s) is/are rejected.							
7) Claim(s) is/are	· ·							
8)⊠ Claim(s) <u>1-20</u> are subj	ect to restriction and/or e	election requiremen	nt.					
Application Papers								
9) The specification is obj	ected to by the Examine	r.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.								
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).								
11) The oath or declaration	is objected to by the Ex	aminer. Note the a	ttached Office A	action or form P	ГО-152.			
Priority under 35 U.S.C. § 119								
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>								
Attachment(s)								
1) Notice of References Cited (PTO-	892)	4) 🗌 ini	terview Summary (F	PTO-413)				
2) Notice of Draftsperson's Patent D	rawing Review (PTO-948)	Pa	aper No(s)/Mail Date	)	0.450)			
3) Information Disclosure Statement Paper No(s)/Mail Date	(s) (PTO-1449 or PTO/SB/08)	· —	otice of Informal Pat ther:	ent Application (PT0	U-152)			

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## **DETAILED ACTION**

## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C.
 121:

- I. Claims 1-18, drawn to a method of making a semiconductor device, classified in class 438, subclass 197.
- II. Claims 19-20, drawn to a semiconductor device, classified in class 257, subclass 288.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the process as claimed can be used to make other and materially different product such as silicon-based MOSFET
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to -- on -- to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least

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one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Long Pham whose telephone number is 703-308-1092. The examiner can normally be reached on M-F, 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on 703-308-4918. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ĺong Pham

Primary Examiner

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